

RESOLUTION NO. 1402

RESOLUTION DIRECTING SETTLEMENT OF CLAIMS
AGAINST WARREN A. WEBSTER AND/OR CITY OF
LODI.

WHEREAS on October 22 and 25, 1947, claims against moneys due Warren A. Webster, as contractor employed by the City of Lodi to construct Units 1 and 2, Pipe line 1 of Main Line Sewer Outfall line were filed by the following persons in the following amounts:

F. Alberti	\$ 95.00
G. A. Brodehl	7.50
D. V. Mello	84.00
Andrew Schatz	210.50
T. V. Valente	<u>162.25</u>
A total of	\$ 559.25

AND, WHEREAS, the total amount of said claims viz: \$559.25 were withheld and deducted from moneys due said Warren A. Webster, as contractor, September 10, 1947, and by Resolution No. 1376 of this City Council adopted November 5, 1947, ordered paid into the Revolving Fund of this City to be disbursed on the filing of signed agreements between said Webster and said Claimants or on court order made on judgements directing such disbursements, and,

WHEREAS, the City Engineering Department, the City Attorney, and said Warren A. Webster have come to an agreement for and by which these claims can be amicably settled and it further appearing that this City as owner is in equity bound to share a part of these damages, the same not having been willfully caused by said contractor but being part of the general damages which this City is bound to pay by the provisions contained in the several agreements made and entered in to by it to acquire the rights of way for the construction and maintenance of this pipe line, therefore,

BE IT RESOLVED, that the City of Lodi assume and pay approximately one-fourth of the damage claims first herein mentioned and that, in accordance with written authorizations signed by Warren A. Webster,

the \$559.25 withheld as aforesaid, be disbursed in the following manner:

To F. Alberti \$95.00 of which Webster shall pay \$71.00 and this City \$24.00.

To G. A. Brodehl \$7.50 of which Webster shall pay \$5.62 and this City \$1.88.

To D. V. Mello \$84.00 of which Webster shall pay \$63.00 and this City \$21.00.

To Andrew Schatz \$210.50 of which Webster shall pay \$157.88 and this City \$52.62.

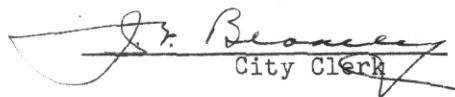
To T. V. Valenti \$162.25 of which Webster shall pay \$121.50 and this City \$40.75.

This is to say, said Warren A. Webster shall have deducted from the \$559.25, the sum of \$419.00 which the City Clerk, custodian of the "Revolving Fund" of this City shall pay over to the above claimants in the proportions above stated together with the portion herein found to be a just and legal charge against this City. The balance of said \$559.25 after deducting the amounts due to be paid by said Webster i.e. the sum of \$140.25 shall be paid over to said Warren A. Webster.

BE IT FURTHER RESOLVED, that from any moneys due or to become due from this City to Warren A. Webster, other than those mentioned above, the sum of \$196.60 be deducted therefrom to be paid to George W. Emde in accordance with a certain assignment dated March 3, 1948, being in full settlement of the balance due said George W. Emde on his claim for damages dated September 9, 1947, in which this City agreed to pay and did pay the sum of \$180.00 and said Warren A. Webster agreed to pay the remainder of said claim, that is, the sum of \$196.60.

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Certified to be a full, true, and correct copy of Resolution No. 1402 as passed and adopted by the City Council of the City of Lodi March 3, 1948.


City Clerk